

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PEOPLE OF STATE OF CALIFORNIA,

No. C-04-02588 CRB (EDL)

Plaintiff,

**ORDER SETTING FURTHER
SETTLEMENT CONFERENCE**

v.

UNITED STATES FOREST SERVICE, et al.,

Defendants.

During the settlement conference held on November 14, 2005, the parties agreed to proceed in the following manner:

As proposed in the parties' Joint Status Report on Remedy Phase (pp. 3-4), the parties agree that the issue of remedy will be remanded to the Forest Service to revise the Fire Plan in light of Judge Breyer's Order dated July 11, 2005. By February 10, 2006, Defendants shall file an interim status report on their compliance efforts, providing a copy to Judge Laporte. By April 10, 2006, Defendants shall file a revised Fire Plan and a Final Report on Compliance, providing copies to Judge Laporte. The Fire Plan shall contain specific references to the passages in NEPA-compliant documents that Defendants believe authorizes each of the fire management directions contained in the revised Fire Plan (*e.g.*, by page, paragraph, and line) and, if feasible, the applicable locations within the Forest to which the directions apply. The Final Report on Compliance shall identify any specific fire management directions that are not in the revised Fire Plan but that appeared in the original Fire Plan. The Final Report on Compliance also shall state whether, when and how, with respect to each of those directions no longer contained in the Fire Plan, Defendants intend to pursue NEPA process(es) leading to the restoration of those directions or, instead, whether they intend that

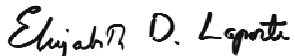
1 the revised Fire Plan proceed indefinitely without those directions.

2 On April 19, 2006, Plaintiffs shall provide a response to Defendants, and shall provide to the
3 Court an updated confidential settlement conference statement. On April 24, 2006, following the
4 hearing scheduled in the Sequoia Valley Monument case, the parties each shall provide to the Court
5 confidential updates regarding the impact, if any, of that hearing on settlement.

6 On April 26, 2006, the parties shall appear for a further settlement conference beginning at
7 9:00 a.m. in Courtroom E, 15th Floor, 450 Golden Gate Avenue, San Francisco, California 94102.
8 In addition to the representatives who appeared at the November 14, 2005 settlement conference,
9 Defendants shall bring a responsible high level official from Washington, DC headquarters.

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11 **IT IS SO ORDERED.**

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13 Dated: November 17, 2005

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15 ELIZABETH D. LAPORTE
16 United States Magistrate Judge
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